

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JENNA M. DIMARTILE, JUSTIN G. CRAWFORD,
PAMELA GIGLIA, JOE DUROLEK, and
DAVID SHAMENDA

Plaintiffs,

**STIPULATION OF
VOLUNTARY DISMISSAL**

-against-

ANDREW M. CUOMO, LETITIA JAMES,
MARK POLONCARZ, EMPIRE STATE
DEVELOPMENT CORPORATION, and
ERIE COUNTY DEPARTMENT OF HEALTH

Civil No. 1:20-CV-00859-GTS-CFH

Defendants.

IT HEREBY IS STIPULATED AND AGREED by, between, and among the undersigned attorneys for all of the parties to this action, none of whom is an incompetent or a minor, that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the plaintiff, David Shamenda, voluntarily dismisses the above-entitled action as against each and all of the defendants.

IT IS HEREBY FURTHER STIPULATED AND AGREED, that upon its execution by all the undersigned attorneys for all of the parties hereto, this Stipulation of Voluntary Dismissal may be filed with the Clerk of the Court without any further notice.

s/Phillip A. Oswald

**RUPP BAASE PFALZGRAF
CUNNINGHAM LLC**

Phillip A. Oswald
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Date: March 16, 2021

s/ Erin E. Molisani

**MICHAEL A. SIRAGUSA
ERIE COUNTY DEPT. OF LAW**

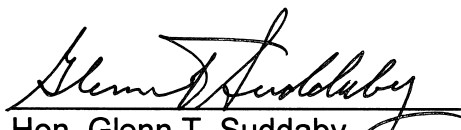
Erin E. Molisani
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Date: March 24, 2021

s/Adrienne J. Kerwin

**LETITIA JAMES, ATTORNEY
GENERAL, STATE OF NEW YORK**

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The Capitol
Albany, New York 12224
(518) 776-2608
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Date: March 17, 2021

SO ORDERED: _____


Hon. Glenn T. Suddaby
Chief U.S. District Judge

Dated: March 25, 2021